

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINGDON CALENDAR - SEPTEMBER 4, 2002

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. - PRE-TRIAL CONFERENCES

Lamie	NED BALDWIN-ch7 A/P 7-01-00100: Amended Complaint – Pre-trial Wm. E. Callahan Trustee (Lamie) v. Life Investors Insurance Co of America (Shortridge) – <i>answer of defendant filed 5/22; extension granted to 5/23 (Shortridge)</i> – ORDER of 8/8 approved compromise, dismissed AP, each to bear own costs	7-99-03684	Callahan/JM
Copeland	S T & J, INC. - Ch. 11 Final pretrial conference [d/e # 90] re: Debtors’ Obj (Whitsell) to Claim #3 of Coleman Oil Co (Beck/Thompson) – <i>Response of Creditor filed 6/29, d/e # 91 (Lori Thompson)</i>	7-01-03411	DIP/VS
Largen	MARK & LEE PRESCOTT-ch7 A/P 7-02-00064: Det. Dischargeability Capital One Bank (Sinesi) v. female petitioner, Lee A. Prescott (Largen)	7-02-00962	Wick/LM
Bragg	MARK & SONDR A ROSE-ch7 A/P 7-02-00093: Det. Dischargeability Joseph M. Smith (Copeland) v. debtor A/P 7-02-00092: Det. Dischargeability Coal Age Inc (F Harman) v. debtor	7-02-01362	Wick/SO

10:00 A.M. - MISCELLANEOUS

Hutchinson	LARRY & BRIDGET COLE-ch7	7-02-02536	Callahan/JJ
	Motion #1: Relief - Branch Banking & Trust (Jos. Lyle*) filed 8/12 <u>ord of 8/13 recuses and assigns to Judge Krumm and directs movant's atty to obtain new hearing for notice on an RWK date</u>		
Copeland	SHERRY KING-ch7	7-02-02663	Wick/MC-PR
	Motion #2: Relief - filed 7/10; d/e # 12, 13; <i>contd from 8/7</i> Fairbanks Capital Corp (Bierman) v. debtor & trustee RESPONSE filed by Debtor 7/22 [d/e # 15]		
Timoney	TAMMY MCGRADY - Ch. 7	7-00-03607	Wick/NS
	Motion # 2(Amended): Relief filed 7/22 [d/e # 61] Alliance Bank (Neyhart) v. Debtor & Trustee -ORFER (default) of 8/23 granted relief, cancels hearing		
Jackson	DAWN GROSECLOSE-ch7	7-02-02294	Wick/S
	Motion of Debtor to Dismiss case, filed 7/19; d/e # 13, 14,15		
Farthing	HASSEL & ANGELA COE - Ch. 7	7-02-02421	Callahan/VS
	Motion # 1: Avoid lien Debtors v. Washington Mutual Finance Group, LLC, Glen Allen, VA () & Washington Mutual Finance Group, Wytheville, VA ()		
Farthing	ROBERT & GERALDINE BUCKNER - Ch. 7	7-02-02660	Wick/JJ
	Motion #1: Avoid lien [d/e # 10] Debtors v. Citifinancial, Inc. ()		

10:00 A.M. - MISCELLANEOUS

Shull	DILLIE WALKER, II - Ch. 7 Motion # 1: Relief filed 8/2 [d/e # 12] Fairbanks Capital Corp. (Goldberg) v. Debtor & Trustee	7-02-02541	Callahan/VS
Copeland	JOHNNIE BELCHER - Ch. 7 Motion # 1: Relief filed 8/6 [d/e # 15]; certification filed 8/14 [d/e # 17] Bank One, NA (Neyhart) v. Debtor & Trustee	7-02-02177	Wick/NS
Farthing	CHRISTOPHER & JAMIE McHONE - Ch. 7 Motion # 1: Relief filed 8/6 [d/e # 11] DaimlerChrysler Services North America (Higgs) v. Debtors & Trustee RESPONSE filed by Debtors [d/e # 14]	7-02-02838	Wick/AF
Carroll	DONNIE & WANDA PROFFITT - Ch. 7 Motion # 1: Relief filed 8/7 [d/e # 14] Bank One West Virginia, N.A. (Neyhart) v. Debtors & Trustee <i>-movant's certification filed 8/27; d/e # 18</i>	7-02-02064	Callahan/JJ
Snodgrass	TERRY & HELEN WARF-ch7 Motion #1: Relief - filed 8/6; d/e # 10 11 Wells Fargo Home Mortgage Inc (Sasser/White) v. debtors & trustee (Respondent's?? Certification 8/13) [d/e # 12] RESPONSE filed by Debtors 8/13 [d/e # 13]	7-02-02966	Callahan/JJ

10:00 A.M. - MISCELLANEOUS

Jessee	GLENN & BRENDA KISER - Ch. 7	7-02-02090	Callahan/LM
	Motion # 1: Avoid lien [d/e # 13]		
	Debtors v. American General Finance of America, Inc. ()		
	<i>-ORDER of 8/27 (Default), cancels hearing</i>		

Farthing	SHIRLEY HAMM-ch7	7-02-02957	Callahan/NS
	Motion #1: Relief - filed 8/12, d/e # 14, 15 & 18		
	Bank of Tazewell Co. (Harman) v. debtor & trustee		
	RESPONSE filed by Trustee [d/e # 17]		

11:00 A.M. - MISCELLANEOUS

Copeland	GEORGE S. PATTON-chll	7-02-01131	DIP/VS
	Motion #4: Relief - filed 8/2; d/e # 59, 60		
	Ford Motor Credit Co (L. Hale) v. debtor		
	<u>Response of Debtor filed 8/15; d/e # 63</u>		

Copeland	CHILDRESS CHIROPRACTIC CLINIC PC-chll	7-02-02787	DIP/NS
	Final Hearing on interim order for use of cash collateral upon which First Bank & Trust holds a lien (Hutton)		

Debtor Motion to Assume Lease filed 8/12;[d/e # 33]

Copeland	EDGAR & HATTIE SHAFFER - Ch. 11	7-01-04468	DIP/AF
	U. S. Trustee's (Garber) Motion to Compel Payment of Quarterly Fees & Filing Of Monthly Reports [d/e # 81]		

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Carmody	GEORGE & MISTY PRICE	7-02-02680	Widener/AF
	Plan filed 7/29 with c/s all creditors = d/e # 20		

Largen	LARRY & LINDA RIGGINS - chl3	7-02-02202	Widener/SJ
	Plan filed 5/24; d/e # 6		
	Trustee Report, OBJECTION and showcase: Dismiss or convert, filed 8/7; d/e # 14		

Note: Mod Plan filed 8/29; d/e # 15, 16 and scheduled Oct 15 @ 1:00

Hutchinson	LILLIE LEWIS	7-02-02614	Widener/VS
	Plan filed 6/20, d/e # 6		

White	NANCY SIMS	7-02-02490	Widener/LM
	Plan filed 6/28, d/e # 11		

MOTION for Continuance of Conf hrg pending closing for sale of debtor's property filed 8/29, d/e # 17 by Virginia Elliott, (*claim #1*) (James W. Elliott Jr., Atty)

Largen	KATHERINE HAWKS	7-02-02557	Widener/NS
	Plan filed 6/18, d/e # 6		

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Lamie	JERRY & CLARITA WARREN Plan filed 5/20, d/e #6	7-02-02141	Widener/VS
Lamie	BOBBY & TERRY HOLLAND Plan filed 5/23, d/e # 6	7-02-02189	Widener/AF
Harman	GEORGE & BARBARA HELMANDOLLAR - 13 Plan - filed 6/13, d/e # 5 Objection: Gen. Motors Acceptance Corp. (Eason) d/e#20 : <i>Response filed 8/8 d/e#26</i> Obj.of GMAC withdrawn by order of 8/19	7-02-02488	Widener/AF
Gifford	ROBERT & MARY BREWER-chl3 – <i>Mod Plan filed 8/19; set for 10/1 @ 1:00</i> Objection: Trustee w/Report and Show Cause on Dismissal or Conversion [d/e # 16] Motion #1: Relief - filed 8/9 d/e # 17/ 18 First Va. Mortgage (D. Hathaway) v debtors & trustee	7-02-02462	Widener/SJ
Largen	ALVA <u>STILTNER</u> & CLEMMIE <u>STURGILL</u> Plan filed 5/30, d/e # 6	7-02-02276	Widener/JJ

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Timoney IRENE NICHOLS-chl3 7-02-02338 Widener/AF
Plan filed 6/3, d/e # 6, 11, - **1st amended plan filed 7/9 w/c-s all creditors**
- **2nd amended plan , d/e # 18 , filed 7/23 w/c-s all creditors**
Objection: Trustee w/Report and Show Cause on Dismissal or Conversion [d/e # 22]

Valuation Motion: Lowe's Payment Center filed 7/24; d/e #19
-**ORDER of 7/29, d/e # 21, recused to Judge Krumm for hearing**

essee JONATHAN & DONNA STILTNER-chl3 7-02-02658 Widener/AF
Plan filed 6/24, d/e # 6, 10 ; ***mod plan filed 7/29 w/c-s all creditors*** , d/e # 15
Mod. Plan filed 7/29 [d/e # 15]
Objection: Grundy National Bank (Shortridge) filed 7/9; d/e # 13
Trustee w/Report and Show Cause: Dismiss or Convert filed 8/7 [d/e # 17]

Largen WILLIAM & SANDRA COOPER 7-02-01473 Widener/PR-MC
Mod Plan filed 7/17; d/e # 17, 19

Graham BARRY CREGGER-chl3 7-02-02388 Widener/AF
Plan filed 6/5; d/e # 6 – *creditor meeting adjourned to 9/19*
Objection: Trustee w/Report and Show Cause on Dismissal or Conversion [d/e # 17]
DaimlerChrysler Services, N.A., LLC (Higgs)

Mot for Valuation: Daimler Chrysler Services No. Amer; '99 Ford Pickup, filed 7/18;
D/e # 15

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Hutchinson	THOMAS & MELISSA HENSLEY Mod Plan filed 7/17; d/e # 22, 23	7-02-01929	Widener/SJ
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Trustee report, Objection and showcause: dismiss/convert; contd fr 7/23, d/e # 18
Trustee report, Objection and Show Cause on Dismissal/Conversion filed 8/14, [d/e # 26]

Timoney	LARRY & PEGGY PARRIS - Ch. 13 Plan (Mod. Plan filed 7/22 w/Debtors' original signatures) [d/e # 15] Objection: EMC Mortgage Corp. (Sasser) [d/e # 14]	7-02-02448	Widener/AF
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Lowman	JOHN BRACKETT, JR.- Ch. 13 Plan filed 5/30, d/e # 5 Trustee report, OBJECTION and showcause: Dismiss/convert, filed 8/7, d/e # 18	7-02-02282	Widener/SJ
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Fleenor	GARLAND MCGHEE - Ch. 13 Plan filed 5/24, d/e # 6 Objection: Trustee w/Report and Show Cause on Dismissal [d/e # 14] <i>(ORDER DISMISSING CASE on Debtor's Motion entered 8/20)</i> [d/e # 15]	7-02-02200	Widener/SO
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Hutchinson	EDWARD & MELISSA GARRETT - Ch. 13 Plan filed 5/29, d/e # 6 Objection: Trustee w/Report and Show Cause on Dismissal or Conversion [d/e # 14]	7-02-02251	Widener/VS
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Abingdon Calendar - 9/4/02

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Hutchinson MAE MOORE - Ch. 13 7-02-02498 Widener/AF
 –Mod. Plan filed 8/8–confirmation hrg. cont’d to 10/1 @ 1:00 p.m.
 Objection: Trustee w/Report and Show Cause for Dismissal or Conversion [d/e # 15]

Jessee MICHELLE HAYS - Ch. 13 7-02-02252 Widener/SJ
 Plan filed 5/29, d/e # 6
 Objection: Trustee w/Report and Show Cause for Dismissal or Conversion [d/e # 15]

H. Brown ROCKY WALLS - Ch. 13 7-02-02689 Widener/AF
 Note: *mod plan filed 8/15, d/e # 16, is scheduled for conf on 10/1 @ 1*
 Objection: Trustee w/Report and Show Cause for Dismissal or Conversion [d/e # 14]

Lamie DOUGLAS & PRISCILLA BLANKENSHIP - Ch. 13 7-99-00574 Widener/NS
 Mod. Plan # 4 filed 8/8 [d/e # 95]
 note: mot to reinstate stay as to Chase Manhattan set 9/18 @ 1:30

–see also additional confirmation at 2:00 p.m., page 10, contd from court’s 8/21 calendar to hear w/related matter in case of Johnathan & Tara Lowe, 7-02-00026

Abingdon Calendar - 9/4/02

1:00 P.M. - MISCELLANEOUS HEARINGS

Jessee DARRELL BREEDING - Ch. 13 7-02-03003 Widener/PR
Debtor's Motion to sell 1987 Ford Truck for \$8,000 to C. R. Wooten [#13]

Motion to Shorten Notice Requirement from 20 days to 15 days (*with proposed order*) [d/e # 14]

2:00 P. M. - MISCELLANEOUS

Hutchinson JOHNATHAN & TARA LOWE 7-02-00026 Widener/JJ
Conf of Plan contd from 8/21, d/e # 46, 47
Obj of Trustee and showcause; dismiss or convert, d/e # 50; contd from 8/21

Notice of Hearing for Determination of Validity of Affidavit of Breach re:
Mot. #1: ABN AMRO Mortgage Group (ref. Conditional relief order of 6/6)

Hutchinson HENRY & TERESA MULLINS-ch13 7-01-00669 Widener/JJ
Motion #1: relief - filed 6/24, d/e # 33, 35; contd from 7/23 & 8/7
EMC Mortgage Corp (Clarke/Esposito) v. debtors & trustee
-Answer filed 7/2, d/e # 36

Copeland KATHLEEN DEEL-ch13 7-97-01815 Widener/SL
Trustee Motion to convert or dismiss filed 6/20; d/e # 49, 54 and
Motion to suspend payments d/e # 50 , contd from 7/23

Motion for Hardship Discharge [d/e # 52, 53]
OBJECTION by Trustee to Motion for Hardship Discharge [d/e # 57]

Abingdon Calendar - 9/4/02

2:30 P. M. - TRIAL*
**reserved couple of hours*

McAfee

*ROBERT RASH-chl3

7-02-01215

Widener/ MC-PR

A/P 7-02-00040: Removal

ap: LM

Motion of Grundy National Bank to Abstain and Remand (Shortridge)

Grundy national Bank v. Rash (McAfee)

Motion of Grundy National Bank to Dismiss with prejudice and award attorney fees, d/e
22, 29 (*to be heard with AP 02-40 above*)

Grundy National Bank's Objection to Claim of Exemptions ,d/e # 27, 28, 29